

Stricken language would be deleted from and underlined language would be added to the Arkansas Constitution.

1 State of Arkansas *As Engrossed: S4/9/01 S4/10/01*

2 83rd General Assembly

3 Regular Session, 2001

SJR 16

4

5 By: Senator D. Malone

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7

8

SENATE JOINT RESOLUTION

9

PROPOSING A CONSTITUTIONAL AMENDMENT TO REVISE

10

THE EXECUTIVE ARTICLE OF THE ARKANSAS

11

CONSTITUTION.

12

13

Subtitle

14

PROPOSING A CONSTITUTIONAL AMENDMENT TO

15

REVISE THE EXECUTIVE ARTICLE OF THE

16

ARKANSAS CONSTITUTION.

17

18

19 BE IT RESOLVED BY THE SENATE OF THE EIGHTY-THIRD GENERAL ASSEMBLY OF THE
20 STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL
21 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

22

That the following is hereby proposed as an amendment to the
23 Constitution of the State of Arkansas, and upon being submitted to the
24 electors of the state for approval or rejection at the next general election
25 for Senators and Representatives, if a majority of the electors voting
26 thereon at such election, adopt such amendment, the same shall become a part
27 of the Constitution of the State of Arkansas, to wit:

28

29

SECTION 1. Executive Officers.

30

(a) The elected officers of the executive department of this state
31 government shall be a Governor, Lieutenant Governor, Secretary of State,
32 Treasurer of State, Auditor of State, Attorney General, and Commissioner of
33 State Lands, all of whom shall reside in the state and keep their offices at
34 the seat of government.

35

(b)(1) They shall serve four-year terms beginning the first Tuesday
36 after the second Monday in January following the date of their election, and

1 until their respective successors have been elected and qualified.

2 (2) No elected officer of the executive department may serve in
3 the same office more than two (2) four-year terms.

4 (c)(1) No officer of the executive department shall be reimbursed by
5 the State of Arkansas for any expenses except those reasonably connected to
6 official duties and only if the reimbursement is made for documented expenses
7 actually incurred and from the regular budget appropriated for that office.

8 (2) The restrictions on expense reimbursement are of a general
9 application and are intended specifically to prohibit the appropriation and
10 use of public relations funds.

11 (d) Unless different salaries are adopted by the people of this state
12 at the 2002 general election or at a subsequent general election, the annual
13 salaries of the executive department, to be paid as prescribed by law, shall
14 be as follows:

15 (1) The Governor, the sum of \$73,603;

16 (2) The Lieutenant Governor, the sum of \$35,574;

17 (3) The Secretary of State, the sum of \$46,002;

18 (4) The Treasurer of State, the sum of \$46,002;

19 (5) The Attorney General, the sum of \$61,335;

20 (6) The Commissioner of State Lands, the sum of \$46,002; and

21 (7) The Auditor of State, the sum of \$46,002.

22 (e) Except as authorized herein, the officers of the executive
23 department shall not receive any other income from the State of Arkansas,
24 whether in the form of salaries or expenses. However, nothing in the
25 Constitution shall prohibit officers of the executive departments from
26 receiving retirement benefits, insurance, and other benefits consistent with
27 those received by state employees.

28 (f) The salaries authorized in this section or adjusted pursuant
29 hereto may be increased annually through subsequent appropriations by the
30 General Assembly by an amount not to exceed the average percentage increase
31 in the Consumer Price Index for all Urban Consumers or its successor, as
32 published by the United States Department of Labor, for the two (2) years
33 immediately preceding the year of the salary appropriation.

34
35 SECTION 2. Powers and Duties of Governor.

36 (a) The supreme executive power shall be vested in the Governor, who

1 shall be responsible for the faithful execution of the laws. The Governor
2 shall retain all of the powers enumerated in the Constitution when the
3 Governor is outside the boundaries of the state.

4 (b) The Governor shall report periodically to the General Assembly on
5 the affairs of the state and recommend for its consideration such measures as
6 the Governor deems necessary.

7 (c)(1) The Governor shall be Commander in Chief of the State Militia,
8 except of any unit thereof when it is ordered into the service of the United
9 States, and the Governor may call the militia to duty to execute the laws,
10 preserve order, suppress insurrection, or repel invasion.

11 (2) The State Militia shall be formed, organized, reorganized,
12 disbanded, equipped, armed, trained, commanded, disciplined, governed,
13 administered, and called to duty in such manner as may be prescribed by the
14 Constitution and laws of the United States and by the laws of Arkansas.

15 (d) The Governor may require information in writing or otherwise from
16 the officers of the executive department on any subject relating to their
17 respective offices.

18 (e)(1) A seal of the state shall be kept by the Governor, to be used
19 by the Governor and the seal shall be known and cited as the "Great Seal of
20 the State of Arkansas.

21 (2) The Governor shall sign and the Secretary of State shall
22 attest to all grants and commissions which shall be issued in the name and by
23 the authority of the State of Arkansas and sealed with the Great Seal.

24 (f)(1) The Governor shall have the power to grant reprieves,
25 commutations of sentence, and pardons for all offenses except treason and
26 impeachment, and to remit fines and forfeitures in the manner prescribed by
27 law.

28 (2) The Governor shall communicate to the General Assembly each
29 case of reprieve, commutation, or pardon, stating the reasons therefor and
30 the name, crime, sentence, court imposing sentence, date of sentence, and
31 date of reprieve, commutation, or pardon.

32 (g)(1) Unless otherwise provided by this Constitution, the Governor
33 shall fill a vacancy in any United States Senate or state elective office,
34 except that of Lieutenant Governor, member of the General Assembly and United
35 States House of Representatives. When any office becomes vacant and the
36 Arkansas Constitution or law do not provide procedures to fill the vacancy,

1 the Governor shall fill the vacant position.

2 (2) The vacancy shall be filled by the granting of a commission
3 that shall expire upon the qualification of a person elected to that office
4 at a general election.

5 (h)(1) The Governor shall have the authority to sign and to veto bills
6 of the General Assembly.

7 (2) In the event the Governor does not sign a bill within five
8 (5) days, it shall become law without his signature.

9 (3) The Governor's veto may be overridden by a majority vote of
10 each house.

11 (4) Every order or resolution in which the concurrence of both
12 houses of the General Assembly is necessary, except on questions of
13 adjournment, shall be presented to the Governor and, before it shall take
14 effect, be approved by him or being disapproved, shall be repassed by both
15 houses, according to the rules and limitations prescribed in the case of a
16 bill.

17 (5) The Governor shall have power to disapprove any item or
18 items of any bill making appropriation of money, embracing distinct items,
19 and the part or parts of the bill approved shall be law, and the item or
20 items of appropriations disapproved shall be void, unless repassed according
21 to the rules and limitations prescribed for the passage of other bills over
22 the executive veto.

23 (i) The Governor may convene the General Assembly into special session
24 by a proclamation that specifies the purposes of the session and all
25 legislation shall be limited to the stated purposes of the session, and no
26 other business than that set forth shall be transacted until the same shall
27 have been disposed of, after which they may, by a vote of two-thirds of all
28 the members elected to both houses, entered upon their journals, remain in
29 session not exceeding fifteen days.

30
31 SECTION 3. Election of Executive Officers.

32 (a) The elected officers of the executive department shall be elected
33 at general elections, except as otherwise provided in the Arkansas
34 Constitution, with the candidate receiving the highest number of votes being
35 elected to each office.

36 (b) The General Assembly shall prescribe by law the method of

1 selection when there is a tie vote between candidates for any such office.

2 (c) Contested elections for Governor, Lieutenant Governor, Secretary
3 of State, Treasurer of State, Auditor of State, Attorney General, and
4 Commissioner of State Lands shall be determined by members of both houses of
5 the General Assembly in joint session who shall have exclusive jurisdiction
6 in trying and determining the same, except as hereinafter provided in case of
7 special elections and all the contests shall be tried and determined in the
8 first session of the General Assembly after the election in which the same
9 shall have arisen.

10
11 SECTION 4. Qualifications.

12 (a) The Governor and Lieutenant Governor each shall be a citizen of
13 the United States, and upon assuming office, at least thirty (30) years of
14 age, a registered voter, and a resident of this state for at least seven (7)
15 years.

16 (b) No member of the United States Congress or other person holding
17 office under the authority of this state or of the United States shall
18 exercise the office of Governor, except as otherwise provided herein.

19 (c)(1) The Secretary of State, Treasurer of State, Auditor of State,
20 Attorney General, and Commissioner of State Lands each shall be a citizen of
21 the United States, and upon assuming office, at least twenty-five (25) years
22 of age, a registered voter, and a resident of this state for at least seven
23 (7) years.

24 (2) The Attorney General shall be an attorney licensed in this
25 state.

26
27 SECTION 5. Succession.

28 (a)(1) In case of death, resignation, removal, impeachment, or
29 disability by reason of physical or mental incapacity by the person holding
30 the office of Governor, the order of succession shall be as follows:
31 Lieutenant Governor, President Pro Tempore of the Senate, and Speaker of the
32 House of Representatives.

33 (2) The successor shall serve for the remainder of the term or
34 until the disability ceases.

35 (b)(1) Disability of the Governor or the Lieutenant Governor by reason
36 of physical or mental incapacity shall be determined by the Supreme Court,

1 upon certification by the Speaker of the House of Representatives and the
2 President Pro Tempore of the Senate that a petition requesting such
3 determination has been signed within a fourteen-day period by three-fifths
4 (3/5) of the total membership of each house.

5 (2) Determination by the Supreme Court shall be final and
6 conclusive.

7 (3) Upon petition of the disabled Governor or disabled
8 Lieutenant Governor, the Supreme Court shall determine if and when such
9 petitioner's disability ceases.

10 (c) In case of death or failure to qualify of the person elected
11 Governor, the Lieutenant Governor-Elect shall become the Governor-Elect and
12 shall serve the term for which the Governor-Elect was elected or until the
13 Governor-Elect is qualified.

14 (d) The General Assembly shall establish succession in the cases not
15 covered by this section.

16 (e) The General Assembly shall establish the process for determining
17 the existence and absence of disability by reason of physical or mental
18 incapacity by the person holding the office the Secretary of State, Treasurer
19 of State, Auditor of State, Attorney General, and Commissioner of State
20 Lands.

21
22 SECTION 6. Duties of Lieutenant Governor.

23 (a) The Lieutenant Governor shall exercise authority prescribed by law
24 and shall preside over meetings of the Senate and shall be the President of
25 the Senate, but shall have a vote therein only in case of a tie vote and
26 perform such duties as may be prescribed by law.

27 (b) In case of death, resignation, removal, or impeachment of the
28 person holding the office of Lieutenant Governor, or if the Lieutenant
29 Governor succeeds to the office of Governor pursuant to Section 5 of this
30 Article, the Governor shall call a special election to fill the vacancy.

31
32 SECTION 7. Duties of Secretary of State, Treasurer of State, and
33 Attorney General, Auditor of State, and Commissioner of State Lands.

34 The Secretary of State, the Treasurer of State, the Attorney General,
35 the Auditor of State, and the Commissioner of State Lands shall perform such
36 duties as may be prescribed by law and shall not hold any other office or

1 commission, civil or military, in this state or under this state or the
2 United States.

3
4 SECTION 8. Article 6 of the Arkansas Constitution is repealed.

5 ~~1. Executive officers.~~

6 ~~The executive department of this State shall consist of a Governor,~~
7 ~~Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State~~
8 ~~and Attorney General, all of whom shall keep their offices in person at the~~
9 ~~seat of government and hold their offices for the term of two years and until~~
10 ~~their successors are elected and qualified, and the General Assembly may~~
11 ~~provide by law for the establishment of the office of Commissioner of State~~
12 ~~Lands. [As amended by Const. Amend. 6, § 1.]~~

13
14 ~~2. Governor—Supreme executive power.~~

15 ~~The supreme executive power of this State shall be vested in a chief~~
16 ~~magistrate, who shall be styled "the Governor of the State of Arkansas."~~

17
18 ~~3. Election of executive officers.~~

19 ~~The Governor, Secretary of State, Treasurer of State, Auditor of State~~
20 ~~and Attorney General shall be elected by the qualified electors of the State~~
21 ~~at large at the time and places of voting for members of the General~~
22 ~~Assembly; the returns of each election therefor shall be sealed up separately~~
23 ~~and transmitted to the seat of government by the returning officers, and~~
24 ~~directed to the Speaker of the House of Representatives, who shall, during~~
25 ~~the first week of the session, open and publish the votes cast and given for~~
26 ~~each of the respective officers hereinbefore mentioned, in the presence of~~
27 ~~both houses of the General Assembly. The persons having the highest number of~~
28 ~~votes for each of the respective offices shall be declared duly elected~~
29 ~~thereto; but if two or more shall be equal, and highest in votes for the same~~
30 ~~office, one of them shall be chosen by the joint vote of both houses of the~~
31 ~~General Assembly, and a majority of all the members elected shall be~~
32 ~~necessary to a choice.~~

33
34 ~~4. Contested election.~~

35 ~~Contested elections for Governor, Secretary of State, Treasurer of~~
36 ~~State, Auditor of State and Attorney General shall be determined by the~~

1 ~~members of both houses of the General Assembly in joint session, who shall~~
2 ~~have exclusive jurisdiction in trying and determining the same, except as~~
3 ~~hereinafter provided in the case of special elections, and all such contests~~
4 ~~shall be tried and determined at the first session of the General Assembly~~
5 ~~after the election in which the same shall have arisen.~~

6
7 ~~5. Qualifications of Governor.~~

8 ~~No person shall be eligible to the office of Governor except a citizen~~
9 ~~of the United States who shall have attained the age of thirty years, and~~
10 ~~shall have been seven years a resident of this State.~~

11
12 ~~6. Governor, commander in chief of armed services.~~

13 ~~The Governor shall be commander in chief of the military and naval~~
14 ~~forces of this State, except when they shall be called into the actual~~
15 ~~service of the United States.~~

16
17 ~~7. Information and reports from departments.~~

18 ~~He may require information in writing from the officers of the~~
19 ~~executive department on any subject relating to the duties of their~~
20 ~~respective offices, and shall see that the laws are faithfully executed.~~

21
22 ~~8. Messages to General Assembly.~~

23 ~~He shall give to the General Assembly from time to time, and at the~~
24 ~~close of his official term to the next General Assembly, information by~~
25 ~~message concerning the condition and government of the State, and recommend~~
26 ~~for their consideration such measures as he may deem expedient.~~

27
28 ~~9. Seal of State.~~

29 ~~A seal of the State shall be kept by the Governor, used by him~~
30 ~~officially, and called the "Great Seal of the State of Arkansas."~~

31
32 ~~10. Grants and commissions.~~

33 ~~All grants and commissions shall be issued in the name and by the~~
34 ~~authority of the State of Arkansas, sealed with the great seal of the State,~~
35 ~~signed by the Governor and attested by the Secretary of State.~~

36

1 ~~11. Incompatible offices.~~

2 ~~No member of Congress, or other person holding office under the~~
3 ~~authority of this State, or of the United States, shall exercise the office~~
4 ~~of Governor, except as herein provided.~~

5
6 ~~12. President of Senate succeeding to Governor's office.~~

7 ~~In case of the death, conviction or impeachment, failure to qualify,~~
8 ~~resignation, absence from the State or other disability of the Governor, the~~
9 ~~powers, duties and emoluments of the office for the remainder of the term, or~~
10 ~~until the disability be removed, or a Governor elected and qualified, shall~~
11 ~~devolve upon and accrue to the President of the Senate.~~

12
13 ~~13. Speaker of House succeeding to office of Governor.~~

14 ~~If, during the vacancy of the office of Governor, the President of the~~
15 ~~Senate shall be impeached, removed from office, refuse to qualify, resign,~~
16 ~~die or be absent from the State, the Speaker of the House of Representatives~~
17 ~~shall, in like manner, administer the government.~~

18
19 ~~14. Election to fill vacancy.~~

20 ~~Whenever the office of Governor shall have become vacant by death,~~
21 ~~resignation, removal from office or otherwise, provided such vacancy shall~~
22 ~~not happen within twelve months next before the expiration of the term of~~
23 ~~office for which the late Governor shall have been elected, the President of~~
24 ~~the Senate or Speaker of the House of Representatives, as the case may be,~~
25 ~~exercising the powers of Governor for the time being, shall immediately cause~~
26 ~~an election to be held to fill such vacancy, giving by proclamation sixty~~
27 ~~days' previous notice thereof, which election shall be governed by the same~~
28 ~~rules prescribed for general elections of Governor as far as applicable; the~~
29 ~~returns shall be made to the Secretary of State, and the acting Governor,~~
30 ~~Secretary of State and Attorney General shall constitute a board of~~
31 ~~canvassers, a majority of whom shall compare said returns and declare who is~~
32 ~~elected; and, if there be a contested election, it shall be decided as may be~~
33 ~~provided by law.~~

34
35 ~~15. Approval of bills — Vetoes.~~

36 ~~Every bill which shall have passed both houses of the General Assembly~~

1 ~~shall be presented to the Governor; if he approves it, he shall sign it; but~~
2 ~~if he shall not approve it, he shall return it, with his objections, to the~~
3 ~~house in which it originated, which house shall enter the objections at large~~
4 ~~upon their journal and proceed to reconsider it. If, after such~~
5 ~~reconsideration, a majority of the whole number elected to that house shall~~
6 ~~agree to pass the bill, it shall be sent with the objections to the other~~
7 ~~house, by which likewise it shall be reconsidered; and, if approved by a~~
8 ~~majority of the whole number elected to that house, it shall be a law; but in~~
9 ~~such cases the vote of both houses shall be determined by "yeas and nays,"~~
10 ~~and the names of the members voting for or against the bill shall be entered~~
11 ~~on the journals. If any bill shall not be returned by the Governor within~~
12 ~~five days, Sunday excepted, after it shall have been presented to him, the~~
13 ~~same shall be a law in like manner as if he had signed it, unless the General~~
14 ~~Assembly, by their adjournment, prevent its return, in which case it shall~~
15 ~~become a law, unless he shall file the same, with his objections, in the~~
16 ~~office of the Secretary of State and give notice thereof by public~~
17 ~~proclamation within twenty days after such adjournment.—~~

18
19 ~~16. Concurrent orders or resolutions—Veto.—~~

20 ~~Every order or resolution in which the concurrence of both houses of~~
21 ~~the General Assembly may be necessary, except on questions of adjournment,~~
22 ~~shall be presented to the Governor, and, before it shall take effect, be~~
23 ~~approved by him; or being disapproved, shall be repassed by both houses,~~
24 ~~according to the rules and limitations prescribed in the case of a bill.—~~

25
26 ~~17. Vetoes of items of appropriation bills.—~~

27 ~~The Governor shall have power to disapprove any item or items of any~~
28 ~~bill making appropriation of money, embracing distinct items; and the part or~~
29 ~~parts of the bill approved shall be the law, and the item or items of~~
30 ~~appropriations disapproved shall be void, unless repassed according to the~~
31 ~~rules and limitations prescribed for the passage of other bills over the~~
32 ~~executive veto.—~~

33
34 ~~18. Pardoning power.—~~

35 ~~In all criminal and penal cases, except in those of treason and~~
36 ~~impeachment, the Governor shall have power to grant reprieves, commutations~~

1 ~~of sentence and pardons after conviction; and to remit fines and forfeitures~~
2 ~~under such rules and regulations as shall be prescribed by law. In cases of~~
3 ~~treason he shall have power, by and with the advice and consent of the~~
4 ~~Senate, to grant reprieves and pardons; and he may, in the recess of the~~
5 ~~Senate, respite the sentence until the adjournment of the next regular~~
6 ~~session of the General Assembly. He shall communicate to the General Assembly~~
7 ~~at every regular session each case of reprieve, commutation or pardon, with~~
8 ~~his reasons therefor, stating the name and crime of the convict, the~~
9 ~~sentence, its date and the date of the commutation, pardon or reprieve.—~~

10
11 ~~19. Extraordinary sessions of General Assembly—Calling—Purposes.—~~

12 ~~The Governor may, by proclamation, on extraordinary occasions convene~~
13 ~~the General Assembly at the seat of government, or at a different place, if~~
14 ~~that shall have become since their last adjournment dangerous from an enemy~~
15 ~~or contagious disease; and he shall specify in his proclamation the purpose~~
16 ~~for which they are convened, and no other business than that set forth~~
17 ~~therein shall be transacted until the same shall have been disposed of, after~~
18 ~~which they may, by a vote of two thirds of all the members elected to both~~
19 ~~houses, entered upon their journals, remain in session not exceeding fifteen~~
20 ~~days.—~~

21
22 ~~20. Power to adjourn General Assembly.—~~

23 ~~In cases of disagreement between the two houses of the General~~
24 ~~Assembly, at a regular or special session, with respect to the time of~~
25 ~~adjournment, the Governor may, if the facts be certified to him by the~~
26 ~~presiding officers of the two houses, adjourn them to a time not beyond the~~
27 ~~day of their next meeting; and, on account of danger from an enemy or~~
28 ~~disease, to such other place of safety as he may think proper.—~~

29
30 ~~21. Duties of Secretary of State.—~~

31 ~~The Secretary of State shall keep a full and accurate record of all the~~
32 ~~official acts and proceedings of the Governor, and, when required, lay the~~
33 ~~same, with all papers, minutes and vouchers relating thereto, before either~~
34 ~~branch of the General Assembly. He shall also discharge the duties of~~
35 ~~Superintendent of Public Instruction until otherwise provided by law.—~~

36

1 ~~22. Duties of executive officers in general — Dual office holding~~
2 ~~prohibited — Vacancies — Filling.~~

3 ~~The Treasurer of State, Secretary of State, Auditor of State and~~
4 ~~Attorney General shall perform such duties as may be prescribed by law; they~~
5 ~~shall not hold any other office or commission, civil or military, in this~~
6 ~~State or under any State, or the United States, or any other power, at one~~
7 ~~and the same time; and, in case of vacancy occurring in any of said offices,~~
8 ~~by death, resignation or otherwise, the Governor shall fill said office by~~
9 ~~appointment for the unexpired term.~~

10
11 ~~23. Filling vacancies in other offices.~~

12 ~~When any office from any cause may become vacant, and no mode is~~
13 ~~provided by the Constitution and laws for filling such vacancy, the Governor~~
14 ~~shall have the power to fill the same by granting a commission, which shall~~
15 ~~expire when the person elected to fill said office, at the next general~~
16 ~~election, shall be duly qualified.~~

17
18 SECTION 9. ~~The second paragraph of Article 19, Section 11 is repealed.~~

19 ~~For Governor the sum of \$4,000.00; for Secretary of State the sum of~~
20 ~~\$2,500.00; for Treasurer the sum of \$3,000.00; for Auditor the sum of~~
21 ~~\$3,000.00; for Attorney General the sum of \$2,500.00; for Commissioner of~~
22 ~~State Lands the sum of \$2,500.00; for the Judges of the Supreme Court, each~~
23 ~~the sum of \$4,000.00; for judges of the circuit courts and chancellors, each~~
24 ~~the sum of \$3,000.00; for prosecuting attorney the sum of \$400.00.~~

25
26 SECTION 10. ~~Amendment 6 to the Arkansas Constitution is repealed.~~

27 ~~1. Executive department.~~

28
29 ~~2. Executive power vested in Governor and Lieutenant Governor.~~

30 ~~The executive power shall be vested in a Governor, who shall hold~~
31 ~~office for two years; a Lieutenant Governor shall be chosen at the same time~~
32 ~~and for the same term. The Governor and Lieutenant Governor elected next~~
33 ~~preceding the time when this section shall take effect shall hold office~~
34 ~~until and including the second Monday of September, and their successors~~
35 ~~shall be chosen at the general election in that year.~~

36

1 ~~3. Election of Governor and Lieutenant Governor.~~

2 ~~The Governor and Lieutenant Governor shall be elected at the times and~~
3 ~~places of choosing members of the Assembly. The persons respectively having~~
4 ~~the highest number of votes for Governor and Lieutenant Governor shall be~~
5 ~~elected, but in case two or more shall have an equal and the highest number~~
6 ~~of votes for Governor, or for Lieutenant Governor, the two houses of the~~
7 ~~Legislature, at the next annual session shall forthwith, by joint ballot,~~
8 ~~choose one of the said persons so having an equal and the highest number of~~
9 ~~votes for Governor or Lieutenant Governor.~~

10
11 ~~4. Lieutenant Governor acting as Governor.~~

12 ~~In case of the impeachment of the Governor, or his removal from office,~~
13 ~~death, inability to discharge the powers and duties of the said office,~~
14 ~~resignation or absence from the State, the powers and duties of the office,~~
15 ~~shall devolve upon the Lieutenant Governor for the residue of the term, or~~
16 ~~until the disability shall cease. But when the Governor shall, with the~~
17 ~~consent of the Legislature, be out of the State, in time of war, at the head~~
18 ~~of a military force thereof, he shall continue commander in chief of all the~~
19 ~~military force of the State.~~

20
21 ~~5. Qualifications and duties of Lieutenant Governor—Succession to the~~
22 ~~governorship.~~

23 ~~The Lieutenant Governor shall possess the same qualifications of~~
24 ~~eligibility for the office as the Governor. He shall be President of the~~
25 ~~Senate, but shall have only a casting vote therein in case of a tie vote. If~~
26 ~~during a vacancy of the office of Governor, the Lieutenant Governor shall be~~
27 ~~impeached, displaced, resign, die, or become incapable of performing the~~
28 ~~duties of his office or be absent from the State, the President of the Senate~~
29 ~~shall act as Governor until the vacancy be filled or the disability shall~~
30 ~~cease; and if the President of the Senate for any of the above causes shall~~
31 ~~become incapable of performing the duties pertaining to the office of~~
32 ~~Governor, the Speaker of the Assembly shall act as Governor until the vacancy~~
33 ~~be filled or the disability shall cease.~~

34
35 ~~6. Salary of Lieutenant Governor.~~

36 ~~The Lieutenant Governor shall receive for his services an annual salary~~

1 ~~of two thousand dollars, and shall not receive or be entitled to any other~~
 2 ~~compensation, fee or perquisite, for any duty or service he may be required~~
 3 ~~to perform by the Constitution or by law.~~

4
 5 SECTION 11. Amendment 15 to the Arkansas Constitution is repealed.

6 ~~Salaries of state officials.~~

7 ~~The annual salaries of the State and District officers hereinafter~~
 8 ~~mentioned, which shall be paid in monthly installments, shall be as follows:~~

9
 10 ~~—For Governor, the sum of \$6,000; for Secretary of State, the sum of~~
 11 ~~\$4,000; for Treasurer of the State, the sum of \$4,000; for Auditor of the~~
 12 ~~State, the sum of \$4,000; for Attorney General, the sum of \$5,000; for Judge~~
 13 ~~of the Circuit Courts and Chancellors, each the sum of \$3,600.—~~

14
 15 ~~—The members of the General Assembly shall receive as their salary the sum~~
 16 ~~of one thousand dollars (\$1,000), except the Speaker of the House of~~
 17 ~~Representatives, who shall receive his salary of eleven hundred (\$1,100)~~
 18 ~~dollars for each period of two (2) years; and in addition to such salary the~~
 19 ~~members of the General Assembly shall receive five cents per mile for each~~
 20 ~~mile traveled in going to and returning from the seat of government over the~~
 21 ~~most direct and practical route; and provided further that when said members~~
 22 ~~are required to attend an extraordinary session of the General Assembly, they~~
 23 ~~shall receive in addition to the salary herein provided the sum of \$6 per day~~
 24 ~~for each day they are required to attend, and mileage, at the same rate~~
 25 ~~herein provided.~~

26
 27 SECTION 12. Sections 1, 2, and 3 of Amendment 56 to the Arkansas
 28 Constitution are repealed.

29 ~~1. Executive department—Composition.~~

30 ~~The Executive Department of this State shall consist of a Governor,~~
 31 ~~Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of~~
 32 ~~State, Attorney General, and Commissioner of State Lands, all of whom shall~~
 33 ~~keep their offices at the seat of government, and hold their offices for the~~
 34 ~~term of two (2) years, and until their successors are elected and qualified.~~

35
 36 ~~2. Executive department—Salaries. [Repealed.]~~

1 ~~3. General Assembly — Salaries. [Repealed.]~~

2
3 SECTION 13. Amendment 63 to the Arkansas Constitution is amended to
4 read as follows:

5 ~~1. Executive Department — Term of office.~~

6 ~~The Executive Department of this State shall consist of a Governor,~~
7 ~~Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of~~
8 ~~State, Attorney General and Commissioner of State Lands, all of whom shall~~
9 ~~keep their offices at the seat of government, and hold their offices for the~~
10 ~~term of four (4) years, and until their successors are elected and qualified.~~

11
12 SECTION 14. Section 1(a) of Amendment 70 to the Constitution of
13 Arkansas is repealed.

14 (a) ~~No official of the Executive Department shall be reimbursed by~~
15 ~~the State of Arkansas for any expenses except those reasonably connected to~~
16 ~~their official duties and only if such reimbursement is made for documented~~
17 ~~expenses actually incurred and from the regular budget appropriated for the~~
18 ~~official's office. Such restrictions on expense reimbursement are of a~~
19 ~~general application and also are intended specifically to prohibit the~~
20 ~~appropriation and use of public relations funds. The annual salaries of the~~
21 ~~Executive Department, which shall be paid in monthly installments, shall be~~
22 ~~as follows: the Governor, the sum of \$60,000; the Lieutenant Governor, the~~
23 ~~sum of \$29,000; the Secretary of State, the sum of \$37,500; the Treasurer of~~
24 ~~State, the sum of \$37,000; the Attorney General, the sum of \$50,000; the~~
25 ~~Commissioner of State Lands, the sum of \$37,500; and the Auditor of State,~~
26 ~~the sum of \$37,500. Except as provided herein, such officials of the~~
27 ~~Executive Department shall not receive any other income from the State of~~
28 ~~Arkansas, whether in the form of salaries or expenses.~~

29
30 SECTION 15. The effective date of this amendment shall be January 1,
31 2003.

32
33 /s/ D. Malone
34
35
36